

STATE OF NEW HAMPSHIRE

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

KEENE STATE COLLEGE PAT STAFF ASSOCIATION;  
Affiliated with NHEA/NEA

and

UNIVERSITY SYSTEM OF NEW HAMPSHIRE,  
Keene State College

CASE NO. U-0602

77-23

APPEARANCES

Representing the Keene State College PAT Staff Association:

- Sally Potter, Project Director, NHEA/NEA
- Sylvia Donahue, Director, Higher Education, NHEA/NEA
- Homer E. Stavely, Jr., Keene State College Faculty
- James W. Hawkins, Computer Operations Manager
- Ruth Keddy, KSC, Director of Career Counseling & Placement
- Fred Barry, KSC Alumni Director
- Ernest Gendron, KSC Dean of Men
- James C. Milani, KSC Director of Housing

Representing the University System of New Hampshire:

- Nicholas DiGiovanni, Jr., Counsel for University System
- Gary W. Wulf, University System of New Hampshire
- James C. Hobart, KSC Administrator

FINDINGS

1. On April 26, 1977, Keene State College PAT Staff Association, Affiliated with NHEA/NEA, submitted a "Petition for Certification" for a bargaining unit in accordance with RSA 273-A:10 at Keene State College, Keene, New Hampshire, consisting of Professional-Administrative-Technical Staff of Keene State, excluding (a) Assistant Dean/Career Studies and (b) Assistant Dean/Continuing Education, as principal Academic Officers.
2. On May 10, 1977, Gary W. Wulf, on behalf of the University System, by letter, objected to the above petition stating the University System took the position that any bargaining unit for PATs should be on a system-wide basis and requested a hearing be set on the petition.
3. Hearing was scheduled and held on June 2, 1977 at the Keene State College Library, Keene, New Hampshire, at which time witnesses for both parties were heard.

4. The University argued that the PATs were common to all three campuses, were governed by a common classification system, possessed common job titles, governed by a system-wide handbook, and that hiring on any campus conformed to a system-wide procedure.

However, there exists certain exceptions to the system-wide classifications; salary ranges are established based on the market place for the area campus, evaluations are done by supervisors on the individual campus, and reference was made to fringe benefits and committee assignments for PATs.

The University appeared to base its case for the system-wide bargaining unit on projected objectives of a system-wide personnel plan rather than on what actually occurs in day-to-day operations.

The University alleged that the creation of campus bargaining units would create unwarranted fragmentation of employee units.

5. Keene State College PAT Staff Association, NHEA/NEA, contended that while a system-wide handbook for PATs did exist, the most important personnel decisions affecting them were made at the campus level; further, that while position classifications and system-wide salary ranges existed, each campus was allowed flexibility. Also, there was no common supervisory structure at the system-wide level, rather the supervisory structure was at the campus level. Evaluation and grievance procedures were also at each campus level rather than system-wide.
6. Post-hearing briefs were accepted from both parties on June 15, 1977 in which further arguments were made and NLRB cases and previous PELRB decisions were cited in support of their position.
7. PELRB has created, in other instances affecting the University System, individual campus bargaining units.
8. The geographical limitations, because of distance, tend to fracture the basic community of interest approach.
9. While system-wide procedures are followed in areas of classification, salaries and fringe benefits, evidence indicated that each campus is pretty much a separate entity in that supervision is vested in each campus college president, grievance procedures are locally handled as are rating and evaluation, along with disciplinary action, as are working conditions and schedules.
10. Although there appeared to be some common life of community service by PATs on a system-wide basis, it is at best minimal and infrequent.
11. The question of a division of loyalty and a self-felt community of interest appeared to mitigate against a system-wide bargaining unit. The geographical location and distance do not lend themselves to a system-wide unit.

12. The Public Employee Labor Relations Board considered all the oral testimony, exhibits and submitted briefs filed by both parties of interest and rules, as follows:

DECISION AND ORDER

The primary community of interest in the Professional, Administrative, Technical Staff of the University System of New Hampshire is at the campus level.

There shall be a separate bargaining unit, as petitioned for Professional, Administrative, Technical Staff, on the Keene State College Campus, Keene, New Hampshire.



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EDWARD J. HASELTINE, CHAIRMAN  
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

Unanimous vote. Present: Chairman Edward J. Haseltine, Board Members, Edward L. Allman, Richard H. Cummings and James C. Anderson.  
Absent and not voting on University matters: Board Member Joseph B. Moriarty.

Signed this 15<sup>th</sup> day of August, 1977.